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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,589	09/14/2000	Blake Earl Hayward	P3953	9165

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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

ppg

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/661,589	HAYWARD, BLAKE EARL	
	Examiner	Art Unit	
	Benjamin R Bruckart	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### **Detailed Action**

#### **Status of Claims:**

Claims 1-28 are pending in this Office Action.

Claims 1-4, 6-11, 15-21, and 23-26 remain rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,740,361 by Brown.

Claim 5 and 22 remain rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,740,361 by Brown ("Brown") in view of U.S. Patent No. 6,058,378 by Clark et al ("Clark").

Claims 12, 13, 14, 27, and 28 remain rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,740,361 by Brown ("Brown") in view of U.S. Patent No. 5,978,495 by Thomopoulos et al. ("Thomopoulos")

### **Response to Arguments**

Applicant's arguments filed in the amendment filed December 24, 2003, Paper No. 5, have been fully considered but they are not persuasive. The reasons are set forth below.

#### **Applicant's invention as claimed:**

Regarding claim 1, a networked-based system for providing online verification of users applying for third-party services available through the network comprising: (Brown: Abstract; col. 1, lines 6-12)

a first server node connected to the network for offering application to third-party services through the network; (Brown: col. 4, lines 51-52; the "service")

a user node connected the network for accessing the first server node in and applying for third-party services; (Brown: col. 4, lines 51-52; the "user")

a second server node connected to the network and accessible from the first server node, the second server node for processing verification requests communicated from the first server node; (Brown: col. 4, lines 52-58; the “authentication deity”)

a third server node connected the network and accessible from the second server node, the third server node for navigating on the network by proxy according to navigation requests communicated from the second server node; and (Brown: col. 17, lines 1-20; the web server)

a data repository accessible at least to the second server node for storing data about users being verified (Brown: col. 4, lines 52-58; the “authentication deity”), characterized in that a user operating the user node accesses the first server node and applies for a service or services offered through the first server node and submits data for verification (Brown: col. 4, lines 51-58; the “authentication deity”), the first server node sending the data in the form of a verification request to the second server node (Brown: col. 4, lines 54 and 55), the second server node creating a navigation request containing a portion of the submitted data including at least user login data required (Brown: col. 6, lines 53 and 54; 65-67) to enter or access at least one target site specified in the request (Brown: col. 6, lines 53-65; realms), and sending the navigation request to the third server (Brown: col. 17, lines 1-20; the web server), the third server performing the navigation according to the request, utilizing the user login data to enter the target site (Brown: col. 6, lines 66 – col. 7 line 9), and reporting navigation results back to the second server, the second server reporting the results back to the first server for verification purposes. (Brown: col. 17, lines 1-20; the web server)

Regarding claim 2, the network-based system of claim 1, wherein the network is a data-packet-network. (Brown: col. 1, lines 46-54)

Regarding claim 3, the network-based system of claim 2, wherein the data-packet-network is the Internet network. (Brown: col. 1, lines 13-18)

Regarding claim 4, the network-based system of claim 3, wherein the second and third server nodes are hosted by a same service provider. (Brown: col. 2, lines 14-31; col. 4, 59-65)

Regarding claim 6, the network-based system of claim 4, wherein the user node is a personal computer having access to the network (Brown: col. 6, lines 26-33)

Regarding claim 7, the network-based system of claim 4, wherein the user node is a wireless Internet-capable appliance. (Brown: col. 1, lines 54-62)

Regarding claim 8, the network-based system of claim 4, wherein the user node is a telephone. (Brown: col. 1, lines 54-62)

Regarding claim 9, the network-based system of claim 6, wherein application for third-party services is accomplished by populating a software-driven, electronic interface. (Brown: col. 8, lines 29-44)

Regarding claim 10, the network-based system of claim 9, wherein the interface is an electronic form on a web page. (Brown: col. 3, lines 59-65)

Regarding claim 11, the network-based system of claim 10, wherein a portion of the user login data submitted for verification comprises at least one user name and password set to for accessing a user-held online reference account. (Brown: col. 4, lines 59-65; col. 2, lines 33-44)

Regarding claim 15, a method for online verification of a user applying for third-party services available on a data-packet-network comprising steps of (Brown: Abstract; col. 1, lines 6-12)

(a) the user interacting with the site offering the third-party services, the interaction comprising the population and submission of an electronic form for online verification purposes; (Brown: col. 4, lines 51-54; col. 3, lines 61-63)

(b) the online application form routed to a site offering the verification service, the service-site creating a temporary user profile and a navigation request from the data submitted in the form (Brown: col. 4, lines 52-58; the "authentication deity"), the navigation request including at least user login data required (Brown: col. 6, lines 53 and 54; 65-67) to enter or access at least one target site specified in the request (Brown: col. 6, lines 53-65; realms);

(c) the navigation request routed to navigation system, the system performing the proxy navigation sequence according to the request by utilizing the user login data to enter or access the site (Brown: col. 5, lines 51-55)

(d) the navigation system reporting the results of the automated navigation sequence back to the verification site; and (Brown: col. 17, lines 1-20; the web server)

(e) the verification site sending a verification recommendation back to the site offering the third party services. (Brown: col. 5, lines 56-59)

Regarding claim 16, the method of claim 15, wherein the data-packet-network is the Internet network. (Brown: col. 1, lines 13-18)

Regarding claim 17, the method of claim 16 wherein in step (a), the site is a third-party server accessed from an Internet-capable appliance operated by the user. (Brown: col. 6, lines 26-33; col. 1, lines 54-62)

Regarding claim 18, the method of claim 17 wherein in step (b), the site is a verification server hosted by a verification service provider. (Brown: col. 2, lines 14-31; col. 4, 59-65)

Regarding claim 19, the method of claim 18 wherein in step (b), the navigation request contains authentication data to at least one user-held online account. (Brown: col. 5, lines 56-59)

Regarding claim 20, the method of claim 19 wherein in step (c), the navigation system comprises a server hosted by the verification service provider. (Brown: col. 2, lines 14-31; col. 4, 59-65)

Regarding claim 21, the method of claim 19 wherein in step (c), the navigation system comprises a plurality of interconnected servers hosted by the verification service provider. (Brown: col. 3, lines 37-57)

Regarding claim 23, the method of claim 16 wherein in step (a), the site offering the third party services is accessed by the user operating a telephone. (Brown: col. 1, lines 54-56)

Regarding claim 24, the method of claim 20 wherein in step (a), electronic form is presented in a web page. (Brown: col. 3, lines 59-65)

Regarding claim 25, the method of claim 24 wherein in step (c), the data portion of the form enabling the proxy navigation sequence comprises at least one user-name and password set for logging into a user-held online account. (Brown: col. 4, lines 59-65; col. 2, lines 33-44)

Regarding claim 26, the method of claim 25 wherein in step (c), the user login data portion of the form enabling the proxy navigation sequence also includes at least one domain name (domain name is equated to be realm) and at least one URL address. (Brown: col. 2, lines 14-31; col. 4, 51-65; col. 10, lines 46-52)

Brown teaches a system of authenticating and verifying users through an authentication deity. The Brown reference teaches its uses for authenticating for service providers but does not explicitly state the use of the invention for financial services.

The Clark reference,

with regards to claim 5, teaches a network-based system of claim 1, wherein the third-party services are financial-management services. (Clark: col. 11, line 20-25; col. 2, lines 48-51; col. 3, lines 5-8)

regarding claim 22, the method of claim 16, wherein in step (a), the third party services comprises proxy financial management services. (Clark: col. 11, line 20-25; col. 2, lines 48-51; col. 3, lines 5-8)

The Clark reference further teaches that having a method to make a given transaction or inquiry, independent of the geographic region and type of inquiry would make global banking more attractive to many customers. (Clark: col. 2, lines 18-24)

Therefore it would have been obvious at the time of the invention to create a system of verification and authentication for services by Brown and incorporate a global financial service as taught by Clark in order to make a given transaction or inquiry, independent of the geographic region and type of inquiry would make global banking more attractive to many customers. (Clark: col. 2, lines 18-24)

Brown teaches a system of authenticating and verifying users through an authentication deity that relies solely on a username and password to grant access. The Brown reference lacks other forms of providing verification that are profile based and non-sensitive data.

Thomopoulos teaches, with regards to claim 12, the network-based system of claim 11, wherein non-sensitive data submitted for verification is compared against user profile data for verification purposes. (Thomopoulos: col. 4, lines 17-25; col. 5, lines 30-34)

Thomopoulos further teaches that the use of the real-time fingerprint recognition system for which the patent is filed, allows the invention to achieve negligible false acceptance probability and very low rejection rate. (Thomopoulos: col. 3, lines 16-28)

Therefore it would have been obvious at the time of the invention to create a system of verification and authentication with a username and password by Brown while incorporating other forms of identification like fingerprint scanning and PIN numbers as taught by Thomopoulos in order to allow the invention to achieve negligible false acceptance probability and very low rejection rate.

Claims 13, 14, 27 and 28 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of the Brown and Thomopoulos.

Regarding claim 13, the network-based system of claim 12, wherein the verification results are equated to a score using a scoring system. (Thomopoulos: col. 6, lines 5-9)

Regarding claim 14, the network-based system of claim 12, wherein the verification results are of the form of an approval or disapproval. (Thomopoulos: col. 6, lines 20-25)

Regarding claim 27, the method of claim 26 wherein in step (b), non-sensitive data submitted for verification is compared against user profile data for verification purposes. (Thomopoulos: col. 4, lines 17-25; col. 5, lines 30-34)

Regarding claim 28, the method of claim 26 wherein in step (d), navigation results are equated to a score at the verification site using a scoring system. (Thomopoulos: col. 6, lines 5-9)

### **The Applicant Argues:**

With regards to claims 1 and 15, applicant argues his invention embodies an interactive electronic-information page for accepting data from the user. The server solicits one or more user names and passwords. Applicant argues that Brown only verifies the user's login information to allow access to a service. Applicant's service as claimed actually verifies the use's identity by navigating to and verifying provided information from the user.

Applicant also argues the pass phrase is verified in Brown not the identity of the user as in the applicant's invention.

**In response**, the examiner respectfully submits:

The Brown reference teaches an interactive electronic-information page for accepting data from the user, the data in the form of a username and pass phrase through a form (Brown: col. 3, lines 59-65).

The Brown reference further teaches that identities for users exist in a "realm" which may be viewed as a relatively large collection of users (Brown: col. 4, line 59-60). Using remote pass-phrase authentication communicates with a service wishing to learn and authenticate the user's identity (Brown: col. 4, lines 51-55). The authentication is based on realms or domains in which the user is allowed to access. A user is authenticated for a realm or set of realms with which the service participates (Brown: col.4, lines 59-65).

### ***Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,741,888 by Weyer et al.

U.S. Patent No. 5,700,149 by Johnson et al.

Personal Identification Systems Performance Improvement Algorithm. July 1981. IBM Technical Disclosure Bulletin, US. NN8107914. Vol. 24, Issue 2, Page No. 914-917.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0324.

Benjamin R Bruckart  
Examiner  
Art Unit 2155

brb  
January 15, 2004

  
**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**